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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/723,890   | 11/26/2003  | Mohamad Essabar      | 1899.008US1         | 1168             |
| 21186  | 7590        | 10/12/2007           | EXAMINER            |                  |
| SCHWEGMAN, LUNDBERG & WOESSNER, P.A.<br>P.O. BOX 2938<br>MINNEAPOLIS, MN 55402 |             |                      | DAO, MINH D         |                  |
|  |             | ART UNIT             | PAPER NUMBER        |                  |
|  |             | 2618                 |                     |                  |
|  |             | MAIL DATE            | DELIVERY MODE       |                  |
|  |             | 10/12/2007           | PAPER               |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|------------------------------|------------------------|---------------------|
|                              | 10/723,890             | ESSABAR ET AL.      |
| Examiner                     | Art Unit               |                     |
| MINH D. DAO                  | 2618                   |                     |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1)  Responsive to communication(s) filed on 07/30/07.  
2a)  This action is **FINAL**.                  2b)  This action is non-final.  
3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

- 4)  Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) 1-18 is/are allowed.

6)  Claim(s) 19,21,22,24 and 25 is/are rejected.

7)  Claim(s) 20,23,26 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## **Application Papers**

- 9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152

Priority under 35 U.S.C. § 119

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments filed 07/30/07 with respect to the rejection(s) of claim(s) 19,21,22,24 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Shloss et al. (US 5,307,349).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 19,21,22,24,25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Everett et al. (US 5,317,330) in view of Shloss et al. (US 5,307,349).

Regarding claim 19, Everett teaches transforming an antenna element into a high-impedance parallel resonant circuit in a receive mode; and transforming the antenna element into a low-impedance series resonant circuit in a transmit mode (see figs. 3 and 4; col. 1, line 5 to col. 3, line 65). In this case, the creations of parallel and series resonant circuits that produces high and low impedance read on the "transforming" as

recited in the claim. However, Everett does not mention switching between transmit and receive modes. Shloss, in an analogous art, teaches a transponder capable of switching between transmit and receive modes and transform the antenna to transmit and receive RF energy (see abstract; figs. 1,2; col. 5, lines 34-51; col. 6, lines 24-45).

Regarding claim 21, the combination of Everett and Shloss teaches transforming the antenna element into a high-impedance parallel resonant circuit in the receive mode connecting the inductive coil in parallel across the tuning capacitor and in parallel across an equivalent capacitance for both the DC blocking capacitor and an integrated circuit (IC) capacitance (see Everett, figs. 3 and 4; col. 1, line 5 to col. 3, line 65).

Regarding claim 22, the combination of Everett and Shloss teaches transforming the antenna element into a low-impedance series resonant circuit in the transmit mode includes connecting the inductive coil in series with the tuning capacitor and the DC blocking capacitor (see Everett, figs. 3 and 4; col. 1, line 5 to col. 3, line 65).

Regarding claim 24, the combination of Everett and Shloss obviously teaches the mode of operation for the communication system defaults to the receive mode as this is a well known fact in the art in order to ensure receiving information at all time.

Regarding claim 25, the combination of Everett and Shloss teaches the high-impedance parallel resonant circuit has a parallel resonant frequency; the low-impedance series resonant circuit has a series resonant frequency; and the parallel resonant frequency is

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approximately equal to the series resonant frequency (see Everett, col. 2, lines 5-28).

The term "approximately equal" indicates that the parallel and series resonant frequencies are different. Therefore, the passage in col. 2, lines 5-28 of Everett reads on this limitation of the claim.

***Allowable Subject Matter***

1. Claims 1-18 are allowed.
2. Claims 20,23,26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D. DAO whose telephone number is 571-272-7851. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW ANDERSON can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MINH DAO  
AU 2618

A handwritten signature in black ink, appearing to read "Minh Dao".